

Exhibit Y

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR)
(consolidated cases)

DECLARATION OF LAURA HALVORSON

My name is Laura Halvorson. I am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

1. I am a 39-year-old woman who currently lives in Bexar County, Texas. I registered to vote for the first time after I turned 18 and sometime before the 2004 presidential election in which I voted.
2. Between 2004 and 2014, I was a registered voter in the Dallas metro area where I lived. During this decade, I lived at times in Dallas, Denton, and Collin counties and updated my registration to ensure I could vote each time after I moved.
3. In 2015, I moved out of state and updated my registration to Virginia. When I returned to Texas at the end of 2019, I registered to vote again in Texas, this time in Bexar County. I have been continually registered to vote in Bexar County, Texas since 2019.
4. Voting is important to me. I have voted in every presidential election since 2004 and most other local and state elections since then.

5. I am a member of REVUP Texas (“REVUP”) and The Arc of Texas.

6. From talking to members of REVUP, I learned that Texas has some of the lowest voter turnout in the nation. In 2014, I was Ms. Wheelchair Texas and I made voting part of my platform that year. I have stayed involved with REVUP since then, including participating with the REVUP Virginia chapter while I lived there. When I returned to Texas in 2019, I resumed my membership with REVUP Texas.

7. I was a member of the National Council on Independent Living’s Voting Rights Committee from 2016-2020 and had extensive social media engagement during this time with #CripTheVote to encourage voter turnout amongst people with disabilities.

8. I have several disabilities that substantially limit several major life activities. I have a very progressive form of Muscular Dystrophy that substantially limits my mobility (including walking, standing, lifting, and bending), ability to complete my activities of daily living (ADLs) necessary to care for myself, and my breathing. I am on a BIPAP breathing machine 24 hours a day, require attendant care for 90% of my ADLs, and use a power wheelchair for all mobility. My conditions also cause me severe pain.

9. Because of my Muscular Dystrophy, I require assistance for all gross motor skills like reaching for objects, grasping/holding objects, and pressing buttons. Because of my disabilities, I require what is known as “total care” from caregivers with essentially all activities of daily living including cooking, dressing, and bathing.

10. I also have to have someone with me at all times because my chronic neuromuscular respiratory failure requires use of a BIPAP Ventilator 24 hours a day, 7 days a week, and if it became unplugged or unhooked, I could not survive more than a few minutes. I have been on my BIPAP Ventilator full time since about March 2017.

11. Because of my chronic neuromuscular respiratory failure, even a mild cough can quickly become serious and possibly fatal. As a result, during the COVID-19 pandemic, my medical providers have advised me to avoid public spaces and crowds, and this is still their advice for me due to my high risk, even as many others have resumed “normal” life without the precautions many took during the height of the pandemic.

12. How I have voted has changed over time as my Muscular Dystrophy has progressed and the pandemic also changed my method of voting. In 2004 – 2014, when I was voting in the Dallas metro area, I typically voted early in person. During one of the last elections, poll workers did adjust the voting screen so that I could reach it and mark my vote.

13. In Virginia, I typically voted curbside during early voting. During the one or two times I went inside a polling place in person, poll workers brought me to the front of the line so I did not have to wait, and I was given a paper ballot which I could mark without assistance. Since that time, my disabilities have progressed and marking a paper ballot without assistance is painful and difficult.

14. Since I returned to Texas, I have voted in Bexar County. I voted in the 2020 presidential primaries in person during early voting. I required total assistance from my personal care attendant. They drove me to the polling place, helped me get out of my wheelchair accessible van, and put on a mask to protect me from COVID-19 because I could not lift my hands to do these activities for myself. While I am able to move my powerchair myself, they had to open doors for me to enter the building. I waited in a very short line and when it was my turn, I approached the poll worker. My personal care attendant then had to remove my Texas ID from my wallet and give it to the poll worker who confirmed my voter registration.

15. The poll worker administered the oath to my personal care attendant. The poll worker then gave my attendant the number to input into the voting machine since I could not lift my hands to take the number. Because I could not lift my hands or press the button on the voting machine, my personal care attendant input my number into the machine and then marked who I told her I wanted to vote for. When the voting machine printed my ballot, I was not able to grasp the ballot myself so my personal care attendant had to take my ballot and cross the room with me to deposit it into the ballot box.

16. By the time of the next election, COVID-19 cases were significantly higher and the lines were very long, even during early voting, so I used curbside vote during the November 2020 election in Bexar County. My boyfriend drove me to the polling place because I could not because of my disabilities. When we arrived, I called for curbside voting. After about twenty minutes, a poll worker came outside and my boyfriend got out my ID and gave it to the poll worker since I did not have the motor function to get out my ID or hand it to the worker. They returned with a form for my boyfriend to complete and administered the oath to him so that he could assist me with voting. The poll worker then handed the voting tablet to my boyfriend. I did not have the ability to press the screen so I told my boyfriend who I wanted to vote for and he pressed the screen for me.

17. I curbside voted again in Bexar County during a 2021 local election. My boyfriend drove me again and had to assist me in much the same way—he had to get out my ID and give it to the poll worker and also had to hold the tablet and press buttons for me to designate who I wanted to vote for since I could not do so because of my disabilities.

18. I had applied to vote by mail as a person with a disability after my return to Texas in 2020 because I was not sure what would happen with COVID and with my disabilities,

and I did not know how crowded the polling places would be. Since I was able to vote curbside in the 2020 elections, I had not tried to vote by mail-in ballot until this year.

19. I voted by mail-in ballot during the March 2022 primary elections. My personal care attendants check and bring in my mail for me and one of them brought in my ballot. At the time, the assistor's oath still limited assistance to reading the ballot, marking the ballot, or directing me to do those things. My personal care attendant was not willing to assist me with opening or marking my ballot—as a green card holder, she was unwilling to take the oath to assist me (in person or by mail) because she was afraid of the threat of criminal prosecution and the impact on her legal status. Because she was not able to help me, I had to open and mark the ballot myself. Because of my disabilities, it took me four different times to mark my ballot—I could only hold the pen for short periods of time without my hand cramping and it also took a lot of energy and time to turn the ballot around on my table to position it so that I could fill in the bubble for who I wanted to vote for. After about ten minutes during which I would mark a few candidates, I would have to rest for about thirty minutes before I could try to hold a pen and mark the ballot again. All in all, it was very difficult for me to vote and the process was ultimately spread across two days.

20. Similarly, it took me a lot of time to complete the information on the envelope and seal the envelope. Because of my gross motor difficulties, my signature changes day-to-day and my handwriting when printing can become difficult to read. Because of this, I was afraid my ballot would be rejected for not having the correct ID number. I also had great difficulty pressing hard enough to sign over the envelope flap.

21. I submitted my mail-in ballot before the due date and it was shown as received on February 26 on the Secretary of State's website; however, it was not marked as accepted until well after the election when I looked online at the time. If there had been a problem with my ballot – like if I had transposed numbers in my Texas ID number, my handwriting had been illegible, or I hadn't been able to press hard enough for the signature on the envelope flap, I would not have been able to correct my ballot and my vote would have been thrown out.

22. Because of how long it took to process my March 2022 primary mail-in ballot, I do not trust voting by mail because if I am unable to mark the ballot hard enough with the pen or transpose two numbers in my ID, I would not be notified with enough time to be able to correct my ballot or early vote in person, which means I would not get to vote at all.

23. Because of my experience in March 2022, I voted in person in November 2022 during the general election so that I could be sure my vote counted. Before the November election, I spent several hours over the course of several days researching the voting machines available in Bexar County, including watching instructional videos and emailing elections officials to try to confirm availability of remotes for the voting machines. When I did not get an answer to my email, my father went to my polling place a few days before I did to confirm they had the devices I needed to vote.

24. When I arrived at my polling place, I went to the sign-in table, which was so crowded that there were people hovering over me, not wearing masks. Voting in person put my health at risk—my personal care attendant and I were the only ones wearing masks. This is one of the only public places I have gone since mid-2020 other than a medical office or pharmacy.

25. I surrendered my mail-in ballot and handed over my ID. After I received my ballot, my personal care attendant accompanied me to the machine. Though it is my understanding that the oath for assistants is no longer so limited, I was still uncomfortable placing my attendant, who is a woman of color, in that position given that there is so much confusion around the law, so I did not ask for her assistance other than for her to monitor my ventilator in case there were any issues with it.

26. The poll worker brought me over to the machine and plugged in the remote so that I could vote. I started to operate the remote and it was not working—the directions were reversed from what the buttons indicated (up was down, left was right, etc.). The poll worker did not know how to operate it and so was unable to help other than to ask if I was “pressing the buttons,” which I was.

27. Once I figured out the remote, which took several minutes, I came to the first name on the screen and discovered the font was so large that it cut off part of the candidate’s name and their party. Most of the names on the ballot had at least part of the name or party designation cut off, making it hard to identify who I wanted to vote for and taking additional time. Later I discovered this was likely because the large font feature had been turned on, even though I did not require a large font to read the ballot.

28. On the summary screen, it was again very difficult to see my choices and confirm I’d voted for the candidates I wanted to vote for. After I had confirmed my choices, it took several additional minutes to figure out how to navigate with the remote to print my ballot.

29. After my ballot printed, I took it across the room and adjusted the height and angle of my power wheelchair so that I could just barely reach the place to put my ballot into the ballot box. This also took several minutes.

30. From the time I turned over my ID at the sign-in table to the time I submitted my ballot, it took over thirty minutes for me to vote in person.

34. While I would like to vote by mail in the future, or have the option to do so when my health makes going in public more dangerous, I want to know that my ballot will be counted. My experience in March 2022 makes me worry my ballot will not be counted in the future and I will not know of errors until it is too late to fix them or to vote in person.

31. As a person with a disability, I already face significant barriers to vote and SB 1 has already made it harder for me to vote in 2022 and will continue to make it harder for me to vote in the future. I am disappointed that the state is working to make elections *less* accessible for people like me.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 24, 2023 | 10:54 AM EDT, at Bexar County, Texas.

DocuSigned by:

Laura Halvorson

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Laura Halvorson